

Daily Digest

Senate

Chamber Action

Routine Proceedings, pages S11059–S11172

Measures Introduced: Six bills and three resolutions were introduced, as follows: S. 1820–1825, and S. Res. 265–267. **Page S11130**

Measures Passed:

Family History Month: Senate agreed to S. Res. 266, designating the month of October 2005, as “Family History Month”. **Page S11166**

Senate Legal Representation: Senate agreed to S. Res. 267, to authorize testimony document production, and legal representation in *State of New Hampshire v. Anne Miller, Mary Lee Sargent, Jessica Ellis, Lynn Chong, Donald Booth, Eileen Reardon*. **Page S11166**

Department of Defense Appropriations: Senate continued consideration of H.R. 2863, making appropriations for the Department of Defense for the fiscal year ending September 30, 2006, taking action on the following amendments proposed thereto: **Pages S11061–S11120**

Adopted:

Stevens (for Mikulski) Amendment No. 1996, to provide that, of the amount made available under title III for the Navy for other procurement, up to \$3,000,000 may be made available for the Joint Aviation Technical Data Integration Program. **Pages S11077–S11088**

Stevens (for Salazar) Amendment No. 1887, to rename the death gratuity payable for deaths of members of the Armed Forces as fallen hero compensation. **Page S11077**

Stevens (for Bingaman/Domenici) Amendment No. 1895, to make available up to \$3,000,000 from Research, Development, Test, and Evaluation, Air Force, for assurance for the Field Programmable Gate Array. **Pages S11077, S11088**

Stevens (for Bennett) Amendment No. 2017, to make available, from amounts appropriated for the Research, Development, Test, and Evaluation, Army account up to \$1,000,000 for the Chemical Biological Defense Material Test and Evaluation Initiative (PE 0605602A). **Pages S11077–78, S11088**

Stevens (for Isakson) Amendment No. 1925, to provide that, of the amount made available under title IV for the Army for research, development, test, and evaluation, up to \$1,000,000 may be made available for an environmental management and compliance information system. **Page S11078**

Stevens (for Santorum) Modified Amendment No. 1889, to provide that, of the amount made available for research, development, test and evaluation for the Army, up to \$2,000,000 may be made available for medical advanced technology for applied emergency hypothermia for advanced combat casualty life support. **Page S11078**

Byrd/Feingold Amendment No. 1992, to express the sense of the Senate on budgeting for ongoing military operations in Iraq, Afghanistan, and elsewhere overseas. **Pages S11078–81**

Dodd Amendment No. 1970, to improve the authority for reimbursement for protective, safety, and health equipment purchased for members of the Armed Forces deployed in Iraq and Central Asia. **Pages S11085–88**

Inouye (for Lautenberg) Amendment No. 1963, to require the Secretary of Defense to maintain a website listing information on Federal contractor misconduct, and to require reports on Federal no-bid contracts related to Iraq reconstruction. **Page S11095**

Stevens (for Shelby) Amendment No. 2016, to prohibit the transfer from the Army of authority relating to the tactical unmanned aerial vehicles. **Page S11095**

Stevens (for Nelson (FL)) Amendment No. 1914, to make available, from the amount appropriated in title III under the heading “Other Procurement, Navy” up to \$2,000,000 may be used for the Surface Sonar Dome Window Program. **Page S11101**

Stevens (for Dodd/Lieberman) Amendment No. 1972, to make available \$700,000 from Research, Development, Test, and Evaluation, Army for Medical Countermeasures to Nerve Agents. **Page S11101**

Stevens (for Lieberman) Amendment No. 1962, to make available \$5,000,000 from Research, Development, Test, and Evaluation, Defense-Wide, for High Performance Defense Manufacturing Technology Research and Development. **Page S11101**

Stevens (for Chambliss) Modified Amendment No. 1979, to provide that, of the amount made available under title II for Operation and Maintenance, Army, up to \$600,000 may be made available for removal of unexploded ordnance at Camp Wheeler, Georgia.

Pages S11101–02, S11115

Stevens (for Lott) Amendment No. 1976, to make available \$4,000,000 from Research, Development, Test, and Evaluation, Army, for the development of light-weight rigid-rod ammunition.

Page S11101

Stevens (for Roberts) Amendment No. 1945, to make available, from the amount appropriated in title VII under the heading “Intelligence Community Management Account”, up to \$2,000,000 may be used for the Pat Roberts Intelligence Scholars Program.

Pages S11101–02

Stevens (for Grassley) Amendment No. 2002, to make available \$1,000,000 from Research, Development, Test, and Evaluation for the Army for the Multipurpose Utility Vehicle.

Page S11106

Stevens (for Voinovich) Modified Amendment No. 1986, of the amounts provided for the Navy for research, development, test, and evaluation up to \$3,000,000 may be available for land attack technology for the Millennium Gun System.

Page S11106

Stevens (for Graham) Amendment No. 2028, to make available \$2,000,000 from Research, Development, Test, and Evaluation for the Army for Moldable Armor.

Page S11106

Stevens (for Feingold/Coleman) Modified Amendment No. 1906, to provide for the establishment of a pilot project to create a civilian language reserve corps in order to improve national security by increasing the availability of translation services and related duties.

Pages S11106–07

Stevens (for Akaka) Modified Amendment No. 1899, to make available up to \$5,000,000 for the participation of Vet centers in the transition assistance programs of the Department of Defense for members of the Armed Forces.

Page S11107

Stevens (for Cantwell) Amendment No. 2008, to make available, from funds appropriated for research, development, test and evaluation, Air Force, up to \$2,500,000 for advanced technology for IRCM component improvement.

Page S11107

Stevens (for Allen) Modified Amendment No. 1989, from funds appropriated for research, development, test and evaluation, Army, and available for demonstration and validation, up to \$5,000,000 may be available for the Plasma Energy Pyrolysis System (PEPS), Operational Gasification unit.

Page S11107

Stevens (for Snowe) Modified Amendment No. 1911, to provide that, of the amount authorized to be appropriated for the use of the Department of Defense for research, development, test, and evaluation for Defense-wide activities, up to \$5,000,000

may be available for the rapid mobilization of the New England Manufacturing Supply Chain Initiative.

Page S11107

Stevens (for Kerry/Kennedy) Modified Amendment No. 2027, to provide that, of the amount made available under title IV for the Navy for research, development, test, and evaluation, up to \$1,000,000 may be made available for Marine Corps assault vehicles for development of carbon fabric-based friction materials to optimize the cross-drive transmission brake system of the Expeditionary Fighting Vehicle.

Page S11107

Stevens (for Reed) Amendment No. 2010, to make available \$2,000,000 from Research, Development, Test, and Evaluation for the Navy for the Shipboard Automated Reconstruction Capability.

Page S11107

Stevens (for Cornyn) Modified Amendment No. 1947, from amounts available in Title IV under the heading Research, Development, Test and Evaluation, Army, up to \$1,000,000 may be available for Recombinant Activated Factor VII.

Page S11107

Stevens (for Talent) Modified Amendment No. 2030, to provide for the procurement of 42 additional C–17 aircraft.

Page S11107

Stevens (for Boxer) Amendment No. 2012, to provide for a Department of Defense task force on mental health.

Pages S11107–08

Stevens (for Kennedy) Modified Amendment No. 1991, to make available additional amounts for defense basic research programs.

Pages S11108, S11109

Stevens (for Murray) Modified Amendment No. 1964, to provide for studies of means of improving the transition assistance services of the Department of Defense and other benefits for members of the National Guard and the Reserves.

Page S11109

Stevens (for Coburn) Amendment No. 1948, to require that any limitation, directive, or ear-marking contained in either the House of Representatives or Senate report accompanying this bill be included in the conference report or joint statement accompanying the bill in order to be considered as having been approved by both Houses of Congress.

Page S11109

Stevens (for Alexander) Modified Amendment No. 2029, to require a report on the use of ground source heat pumps at Department of Defense facilities.

Page S11109

Stevens (for Warner) Modified Amendment No. 1927, to make available up to \$1,500,000 for the Navy for research, development, test, and evaluation, to be available for research within the High-Brightness Electron Source program.

Page S11109

By 90 yeas to 9 nays (Vote No. 249), McCain Amendment No. 1977, relating to persons under the

detention, custody, or control of the United States Government. **Pages S11061–72, S11075–76, S11094, S11114**

McCain Amendment No. 1978, to prohibit the use of funds to pay salaries and expenses and other costs associated with reimbursing the Government of Uzbekistan for services rendered to the United States at Karshi-Khanabad airbase in Uzbekistan.

Pages S11115

Stevens (for Hatch) Amendment No. 2001, to express the sense of the Senate regarding the investment of funds as called for in the Depot Maintenance Strategy and Master Plan of the Air Force.

Page S11119

Stevens (for Schumer/Clinton) Modified Amendment No. 2038, to make available \$5,000,000 from Procurement of Weapons and Tracked Combat Vehicles for the Army for the Arsenal Support Program Initiative and to allocate such amounts. **Page S11118**

Stevens (for Kennedy/Bond) Amendment No. 1923, to make available \$4,000,000 from Research, Development, Test, and Evaluation, Defense-Wide, for Oral Anthrax/Plague Vaccine Development.

Page S11118

Stevens (for Sarbanes) Modified Amendment No. 1969, to authorize the Secretary of the Navy to donate the World War II-era marine railway located at the United States Naval Academy to the Richardson Maritime Heritage Center, Cambridge, Maryland, for non-commercial purposes.

Page S11119

Stevens (for McConnell) Amendment No. 2042, to recognize U.S. military personnel serving in Afghanistan and Iraq.

Page S11119

Landrieu Modified Amendment No. 1942, to make available \$10,000,000 for Operation and Maintenance, Air Force, and \$20,000,000 for Other Procurement, Air Force, for the implementation of long-range wireless telecommunication capabilities for the Gulf States and key entities within the Northern Command Area of Responsibility.

Pages S11095–99, S11118

Stevens (for Graham/McCain) Modified Amendment No. 2004, to require the President to submit the procedures for the Combatant Status Review Tribunals and Administrative Review Boards to determine the status of detainees held at Guantanamo Bay, Cuba.

Pages S11072, S11102, S11119

Stevens (for Conrad/Dorgan) Modified Amendment No. 1882, to increase, with an offset, amounts available for the procurement of Predator unmanned aerial vehicles.

Page S11118

Pending:

Reed/Hagel Amendment No. 1943, to transfer certain amounts from the supplemental authorizations of appropriations for Iraq, Afghanistan, and the Global War on Terrorism to amounts for Operation and Maintenance, Army, Operation and Maintenance,

Marine Corps, Operation and Maintenance, Defense-wide activities, and Military Personnel in order to provide for increased personnel strengths for the Army and the Marine Corps for fiscal year 2006.

Page S11061

Coburn Amendment No. 2005, to curtail waste under the Department of Defense web-based travel system.

Pages S11082–85

During consideration of this measure today, Senate also took the following action:

By 49 yeas to 50 nays (Vote No. 247), Senate rejected the defense of germaneness relative to Warner/Levin Modified Amendment No. 1955, to authorize appropriations for fiscal year 2006 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe personnel strengths for such fiscal year for the Armed Forces. Subsequently, the amendment fell.

Pages S11088–94, S11109–12

By 56 yeas to 43 nays (Vote No. 248), three-fifths of those Senators duly chosen and sworn, not having voted in the affirmative, Senate rejected the motion to waive section 302(f) of the Congressional Budget Act of 1974, with respect to Bayh Amendment No. 1933, to increase by \$360,800,000 amounts appropriated by title IX for Other Procurement, Army, for the procurement of armored Tactical Wheeled Vehicles for units deployed in Iraq and Afghanistan, and to increase by \$5,000,000 amounts appropriated by title IX for Research, Development, Test and Evaluation, Defense-Wide, for industrial preparedness for the implementation of a ballistics engineering research center. Subsequently, the point of order that the amendment was in violation of section 302(f) of the Congressional Budget Act of 1974, was sustained, and the amendment thus fell.

Pages S11112–13

By 50 yeas to 49 nays (Vote No. 250), three-fifths of those Senators duly chosen and sworn, not having voted in the affirmative, Senate rejected the motion to waive section 402 of H. Con. Res. 95, Congressional Budget Resolution, with respect to the emergency designation provision in Kerry Amendment No. 2033, to provide for appropriations for the Low-Income Home Energy Assistance Program. Subsequently, a point of order that the emergency designation provision would violate section 402 of H. Con. Res. 95 was sustained and the provision was stricken. Also, the Chair sustained a point order that the amendment violated section 302(f) of the Congressional Budget Act of 1974 as altered by the previous point of order and the amendment thus fell.

Pages S11115–16

By 48 yeas to 51 nays (Vote No. 251), three-fifths of those Senators duly chosen and sworn, not having voted in the affirmative, Senate rejected the motion

to waive section 302(f) of the Congressional Budget Act of 1974, with respect to Stabenow Amendment No. 1937, to ensure that future funding for health care for former members of the Armed Forces takes into account changes in population and inflation. Subsequently, the point of order that the amendment would provide spending in excess of the subcommittee's 302(b) allocation was sustained, and the amendment thus fell. **Page S11117**

By 94 yeas to 4 nays (Vote No. 252), three-fifths of those Senators duly chosen and sworn, having voted in the affirmative, Senate agreed to the motion to close further debate on the bill. **Page S11118**

A unanimous-consent agreement was reached providing for further consideration of the bill at 9:30 a.m. on Thursday, October 6, 2005; and that, notwithstanding the adjournment of the Senate, all time overnight be counted against the 30 hours post closure. **Page S11166**

Appointments:

United States-China Economic Security and Review Commission: The Chair, on behalf of the President pro tempore, pursuant to Public Law 106–398, as amended by Public Law 108–7, in accordance with the qualifications specified under section 1238(b)(3)(E) of Public Law 106–398, and upon the recommendation of the Democratic Leader, in consultation with the chairmen of the Senate Committee on Armed Services and the Senate Committee on Finance, reappointed the following individuals to the United States-China Economic Security and Review Commission: C. Richard D'Amato of Maryland for a term beginning January 1, 2006 and expiring December 31, 2007, and William A. Reinsch of Maryland for a term beginning January 1, 2006 and expiring December 31, 2007. **Page S11165**

Executive Communications: **Pages S11126–27**

Executive Reports of Committees: **Pages S11127–30**

Additional Cosponsors: **Pages S11130–32**

Statements on Introduced Bills/Resolutions: **Pages S11132–43**

Additional Statements: **Pages S11124–26**

Amendments Submitted: **Pages S11143–64**

Notices of Hearings/Meetings: **Pages S11164–65**

Authority for Committees to Meet: **Page S11165**

Privilege of the Floor: **Page S11165**

Record Votes: Six record votes were taken today. (Total—252) **Pages S11112, S11113, S11114, S11116, S11117, S11118**

Adjournment: Senate convened at 10:01 a.m., and adjourned at 11:33 p.m., until 9:30 a.m., on Thursday, October 6, 2005. (For Senate's program, see the

remarks of the Majority Leader in today's Record on page S11166.)

Committee Meetings

(Committees not listed did not meet)

SPYWARE

Committee on Commerce, Science, and Transportation: Subcommittee on Trade, Tourism, and Economic Development concluded a hearing to examine the impact of spyware that is downloaded without authorization on consumers and the Internet as a medium of communication and commerce, and Federal efforts to protect consumers from this problem, after receiving testimony from Deborah Platt Majoras, Chairman, Federal Trade Commission.

KYOTO PROTOCOL: GREENHOUSE GASES

Committee on Environment and Public Works: Committee concluded a hearing to examine the status of efforts to reduce greenhouse gases relating to the Kyoto Protocol, which is an amendment to the United Nations Framework Convention on Climate Change (UNFCCC) requiring countries which ratify this protocol to commit to reduce their emissions of carbon dioxide and five other greenhouse gases, or engage in emissions trading if they maintain or increase emissions of these gases, after receiving testimony from Harlan L. Watson, Senior Climate Negotiator and Special Representative, Bureau of Oceans and International Environmental and Scientific Affairs, Department of State; Lord Nigel Lawson, House of Lords, and Michael Grubb, Imperial College London Department of Environmental Science and Technology, both of the United Kingdom; and Margo Thorning, American Council for Capital Formation, Washington, D.C.

BUSINESS MEETING: NOMINATIONS

Committee on Foreign Relations: Committee ordered favorably reported the nominations of Robert A. Mosbacher, of Texas, to be President of the Overseas Private Investment Corporation, Jan E. Boyer, of Texas, to be United States Alternate Executive Director of the Inter-American Development Bank, Francis Rooney, of Florida, to be Ambassador to the Holy See, Alfred Hoffman, of Florida, to be Ambassador to the Republic of Portugal, Thomas A. Shannon, Jr., of Virginia, to be an Assistant Secretary of State for Western Hemisphere Affairs, Charles A. Ford, of Virginia, to be Ambassador to the Republic of Honduras, Mark Langdale, of Texas, to be Ambassador to the Republic of Costa Rica, Brenda LaGrange Johnson, of New York, to be Ambassador to Jamaica, Alexander R. Vershbow, of the District of Columbia, to be Ambassador to the Republic of